UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EIGHT MILE STYLE, LLC and
MARTIN AFFILIATED, LLC,

Plaintiffs

vs.

APPLE COMPUTER, INC. and
AFTERMATH RECORDS d/b/a
AFTERMATH ENTERTAINMENT,

Defendants.

_______________________________________/

Case No. 2:07-CV-13164
Honorable Anna Diggs Taylor
Magistrate Judge Donald A. Scheer

STIPULATION AND ORDER TO EXTEND TIME

At a session of said Court, held in the United States District Court, Eastern District of Michigan, on: October 14, 2008

PRESENT: ANNA DIGGS TAYLOR
UNITED STATES DISTRICT JUDGE

Upon noting the stipulation of the parties below, IT IS HEREBY ORDERED that the due dates for the following filings are now as set forth below:

Defendants' Reply to Plaintiffs' Opposition to Defendants' Revised Motion for Summary Judgment [D/E-74] is due on **October 15, 2008**;

DATED: October 14, 2008

s/Anna Diggs Taylor
ANNA DIGGS TAYLOR
UNITED STATES DISTRICT JUDGE

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WHEREAS the scheduling of Plaintiffs' Eight Mile Style, LLC and Martin Affiliated, LLC ("Plaintiffs") expert witnesses' depositions and the professional commitments of counsel require Defendants Apple, Inc. and Aftermath Records d/b/a Aftermath Entertainment ("Defendants") to request additional time for briefing in this matter; and

WHEREAS Plaintiffs filed an Opposition to Defendants' Revised Motion for Summary Judgment on August 28, 2008, which Opposition relies upon several declarations and exhibits, including declarations, exhibits, and expert reports by Plaintiffs' expert witnesses, Patrick Sullivan and Howard Abrams; and

WHEREAS, Defendants have sought to schedule the depositions of Patrick Sullivan and Howard Abrams with adequate time to incorporate the testimony from those depositions into Defendants' Reply to Plaintiffs' Opposition, which is currently due October 3; and

WHEREAS Defendants' deposition of Mr. Sullivan began on September 18, 2008, but was adjourned early at the request of Plaintiffs' counsel due to the witness not feeling well, and

WHEREAS the parties agree that additional time for deposition of Mr. Sullivan is necessary, and agreed to continue Mr. Sullivan's deposition on October 1, 2008, and

WHEREAS Mr. Abrams' deposition, originally scheduled for September 26, has been rescheduled to the mutually agreeable date of October 8, 2008, to accommodate Defendants' counsel's inability to travel to Detroit to take that September 26 deposition; and

WHEREAS as the parties have previously informed this Court, Defendants have requested, and Plaintiffs have agreed, that Defendants should have one week following the conclusion of the expert depositions to complete their reply papers, including references to the transcripts of the expert depositions;

NOW THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE PARTIES HERETO AND THEIR COUNSEL OF RECORD THAT

Defendants' Reply to Plaintiffs' Opposition to Defendants' Revised Motion for Summary Judgment shall be due on October 15, 2008;

Howard Hertz Hertz Schram PC 1760 South Telegraph Road, Suite 300 Bloomfield Hills, MI 48302-0183 (248)335-5000 hhertz@hertzschram.com P26653 s/ with consent of Richard S. Busch King & Ballow 1100 Union Street Plaza 315 Union Street Nashville, TN 37201 (615) 726-5422 rbusch@kingballow.com Attorneys for Plaintiffs	s/Daniel D. Quick Dickinson Wright PLLC 38525 Woodward Avenue, Suite 2000 Bloomfield Hills, MI 48304 (248) 433-7200 dquick@dickinsonwright.com P48109 Kelly M. Klaus Munger, Tolles & Olson LLP 355 South Grand Avenue, Suite 3500 Los Angeles, CA 90071-1560 (213) 683-9238 kelly.klaus@mto.com Attorneys for Defendants

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on October 14, 2008.

s/Johnetta M. Curry-Williams
Case Manager